

By

Henry Deller

41-B. No. 51

A BILL TO BE ENTITLED

AN ACT

relating to granting certain law enforcement authority to United States Border Patrol Agents and Special Agents of the United States Immigration and Naturalization Service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.122, Code of Criminal Procedure, is amended to read as follows:

Art. 2.122. SPECIAL INVESTIGATORS. (a) The following named criminal investigators of the United States shall not be deemed peace officers, but shall have the powers of arrest, search and seizure as to felony offenses only under the laws of the State of Texas:

(1) Special Agents of the Federal Bureau of Investigation;

(2) Special Agents of the Secret Service;

(3) Special Agents of United States Customs, excluding ~~[border-patrolmen-and]~~ custom inspectors;

(4) Special Agents of Alcohol, Tobacco and Firearms;

(5) Special Agents of Federal Drug Enforcement Agency;

(6) Inspectors of the United States Postal Service;

(7) Special Agents and Law Enforcement Officers of the United States Forest Service;

(8) Special Agents of the Criminal Investigation Division and Inspectors of the Internal Security Division of the

1 Internal Revenue Service; and

2 (9) Civilian Special Agents of the United States Naval
3 Investigative Service.

4 (b) United States Border Patrol Agents and Special Agents of
5 the United States Immigration and Naturalization Service may not be
6 considered peace officers, but have the powers of arrest, search,
7 and seizure as to felony and misdemeanor offenses under the laws of
8 the State of Texas.

9 SECTION 2. The importance of this legislation and the
10 crowded condition of the calendars in both houses create an
11 emergency and an imperative public necessity that the
12 constitutional rule requiring bills to be read on three several
13 days in each house be suspended, and this rule is hereby suspended,
14 and that this Act take effect and be in force from and after its
15 passage, and it is so enacted.

H. B. No. 51

By Henry Del...

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relating to granting certain law enforcement authority to United States Border Patrol Agents and Special Agents of the United States Immigration and Naturalization Service.

NOV 12 1990

JAN 22 1991

- 1. Filed with the Chief Clerk.
- 2. Read first time and Referred to Committee on Public Safety
- 3. Reported favorably (as amended) and sent to Printer at (as substituted)
- 4. Printed and distributed at
- 5. Sent to Committee on Calendars at
- 6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of yeas, nays, present, not voting).
- 7. Motion to reconsider and table the vote by which H.B. was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).
- 8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of yeas, nays, and present, not voting.

- 9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of yeas, nays, present, not voting).
- 10. Caption ordered amended to conform to body of bill.
- 11. Motion to reconsider and table the vote by which H. B. was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).
- 12. Ordered Engrossed at
- 13. Engrossed.
- 14. Returned to Chief Clerk at
- 15. Sent to Senate.
- Chief Clerk of the House
- 16. Received from the House
- 17. Read, referred to Committee on
- 18. Reported favorably
- 19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
- 20. Ordered not printed.
- 21. Regular order of business suspended by (a viva voce vote.) (yeas, nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

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Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments,
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____